



COMMONWEALTH OF PUERTO RICO
Office of the Governor
Environmental Quality Board

Governing Board

RETURN RECEIPT REQUESTED

September 30, 2008

Mr. Brian O'Hanlon
President
Snapperfarm, Inc.
P.O. Box 685
Culebra, Puerto Rico 00775

Dear Mr. O'Hanlon:

**RE: WATER QUALITY CERTIFICATE
SNAPPERFARM, INC.
2 NAUTICAL MILES TO THE SOUTHWEST OF CULEBRA ISLAND
CULEBRA, PUERTO RICO
NPDES NO. PR0026361**

We have received and reviewed the application for a permit under Section 402, National Pollutant Discharge Elimination System (NPDES), of the Federal Clean Water Act, as amended (33 U.S.C. 466 et. seq.) (the Act) for the referenced facility.

Pursuant to Section 401 (a) (1) of the Act, after due consideration of the applicable provisions established in the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended and in Sections 208(e), 301, 302, 303, 304(e), 306 and 307 of the Act, it is certified that there is reasonable assurance as determined by the Environmental Quality Board (EQB) that the alluded discharge will not cause violations to the applicable water quality standards at the receiving water body if the limitations and monitoring requirements on Tables A-1 and A-2 are met.

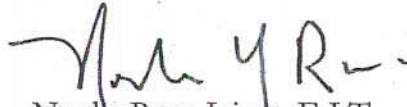
The conditions specified in the aforementioned tables shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301 (b) (1) (C) of the Act.

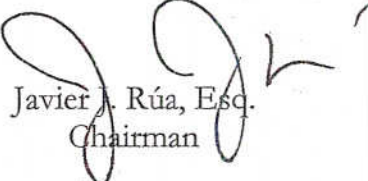
Mr. Brian O'Hanlon
WQC Snapperfarm, Inc.
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If you have any objection to the Water Quality Certificate (WQC), you have the right to request reconsideration to the EQB within the statutory period (twenty (20) calendar days from the date that the WQC is received).

The EQB reserves the right to comment at a later date concerning other environmental aspects of the discharge.


Angel O. Berrios Silvestre, P.E.
Associate Member


Noelia Rosa Jaime, E.I.T.
Vice Chairwoman


Javier J. Rúa, Esc.
Chairman

HJCA/dcc

Enclosure

c: Mr. Walter E. Andrews, EPA-Region II
Eng. Carl-Axel P. Soderberg, EPA-CEPD

SPECIAL CONDITIONS

NPDES NO. PR0026361

These special conditions are an integral part of the Water Quality Certificate (WQC) and shall be incorporated into the NPDES permit in order to satisfy the provisions of Section 301(b)(1)(C) of the Federal Clean Water Act (CWA) as amended (33 U.S.C. 466 et. seq.):

1. The discharge will only consist of unconsumed food and excrement of the saltwater fishes (Cobia) confined in cages submerged in the sea in the production system. ^{2,4}
2. The permittee shall install, maintain and operate all water pollution control equipment in such a manner as to be in compliance with the applicable Rules and Regulations. ³
3. No toxic substances shall be discharged, in toxic concentrations, other than those allowed as specified in the NPDES permit. Those toxic substances included in the permit application, but not regulated by the NPDES permit, shall not exceed the concentrations specified in the applicable regulatory limitations. ^{2,3}
4. The waters of Puerto Rico shall not contain any substance attributable to discharge, at such concentration which, either alone or as result of synergistic effects with other substances, is toxic or produces undesirable physiological responses in human, fish or other fauna or flora. ²
5. All sample collection, preservation, and analysis shall be carried out in accordance with the Code of Federal Regulation (CFR) Number 40, Part 136. All chemical analyses shall be certified by a chemist licensed to practice the profession in Puerto Rico. All bacteriological tests shall be certified by a microbiologist or a medical technician licensed to practice the profession in Puerto Rico. ^{1,3}
6. No change in the design and configuration of the cages inside of the production area will be permitted without the previous authorization of the Environmental Quality Board (EQB). ⁴
7. The production system consists of eight (8) cages located within an area of 500 meters length by 500 meters width. The cages have approximately 25 meters of diameter by 15 meters of height and are placed in a row between points 2 and 4 of the production area, at a depth of 7.5 meters.

- a. The production area is delineated by the following points:

<u>Points</u>	<u>Geographic Coordinates (NAD 83)</u>
Point 1	18°16'40.19" N, 65°20'00.23" W
Point 2	18°16'40.40" N, 65°19'43.22" W
Point 3	18°16'24.14" N, 65°19'43.00" W
Point 4	18°16'23.93" N, 65°20'00.01" W

- b. The production area sampling points shall be situated at points 2, 4, 5, 6, 7, 8 and 9, which are located at the following coordinates:

<u>Points</u>	<u>Geographic Coordinates (NAD 83)</u>
Point 2	18°16'40.40" N, 65°19'43.22" W
Point 4	18°16'23.93" N, 65°20'00.01" W
Point 5	18°16'40.30" N, 65°19'50.82" W
Point 6	18°16'33.13" N, 65°19'43.12" W
Point 7	18°16'24.02" N, 65°19'52.41" W
Point 8	18°16'31.20" N, 65°20'00.11" W
Point 9	18°16'35.75" N, 65°19'55.57" W
Point 10	18°16'28.58" N, 65°19'47.76" W

- c. The background sampling point shall be located one hundred (100) meters from point 1 of the production area, at the following coordinates: 18°16'22.25" N, 65°20'02.97" W.
- d. The permittee shall perform current velocity measures (speed and direction) in the background sampling station during each sampling event.

- e. The permittee shall maintain records of the equipment used to be situated at the production area and background sampling points. Such records shall include the date when the equipment was obtained or leased, calibration date, serial number, model, etc.

To identify the location of the production area and background sampling points, the permittee shall use the procedure established in the EPA-QA/QC for 301 (h) Document (Table D-1 Example ZID Boundary station locations).

If the permittee determines to use another method to identify the sampling points of the production area and background, the permittee shall, prior to the utilization of such method, obtain the written approval from EQB.

- f. The samples of the seven (7) stations of the production area and the background monitoring station shall be taken at three (3) depths in each station: 10%, 50%, 90% of the depth.
 - g. Fifteen (15) months after beginning the operations in the production area, the permittee shall submit a report of the first year of the monitoring program. Based on the review of the monitoring results, the EQB will determine if it is necessary to reopen the WQC to modify (increase or decrease) the monitoring requirements or the location and/or number of monitoring stations at the receiving water body. The beginning of the operations will be defined as the moment in which the first fish cage is filled. The permittee shall submit a notification, with three (3) months of anticipation, indicating the beginning of the operation.
- 8. Solids from the production system shall not cause deposition in the bottom of the receiving water body in such amount that be deleterious to the existing or designated uses of the receiving water body.
 - 9. The permittee shall implement a monthly monitoring program to determine if the solids generated due to this activity cause deposition in the bottom of the receiving water body in such amount that be deleterious to the existing or designated uses of the receiving water body. The monitoring program shall commence no later than thirty (30) days after the EQB's written approval of the Quality Assurance Project Plan (QAPP). The QAPP must be submitted for evaluation and approval of EQB no later than thirty (30) days after the EDP. The results of the monitoring program shall be submitted to EQB no later than sixty (60) days of completion of the monitoring

program. Based on the evaluation of the results obtained, EQB will determine if it is necessary to revoke the WQC.

10. The referenced activity shall not cause the growth or propagation of organisms that negatively disturb the ecological equilibrium in the areas adjacent to the production system.
11. The production area shall be free of debris, scum, floating oil and any other substances that produce objectionable odors.
12. The permittee shall maintain the production system in good operating conditions. At least quarterly, the production system shall be inspected to determine if some repairs, replacing, etc., are required. A semiannual report of the inspections, repairs or replacements performed shall be submitted to the Environmental Protection Agency (EPA) and EQB.
13. The permittee shall employ efficient feed management and feeding strategies that limit feed input to the minimum amount reasonably necessary to achieve production goals and sustain targeted rates of animal growth.
14. The permittee shall dispose of accumulated solids and attached marine growth contained within or on the net-pen in a manner, which prevents to the maximum extent practical these materials from entering or reentering the receiving water body.
15. The permittee shall recover floating debris and trash, which enters the receiving water incidental to the operation of the facility.
16. The permittee shall remove and dispose of animal mortalities properly on a regular basis to prevent discharge to a water body.
17. The permittee shall ensure proper storage of medications, pesticides and feed in a manner that prevent spills that may result in the discharge of such substances to a water body. Also, the permittee shall implement procedures for properly containing, cleaning and disposing of any spilled material.
18. The EQB, can require that the permittee conduct bioaccumulation studies, dye studies, water quality studies or any other pertinent studies. If the EQB require one or more of the aforementioned studies, the permittee will be notified to conduct such study(ies). Sixty (60) days after the notification of the EQB, the permittee shall

submit, for evaluation and approval of the EQB, a protocol to conduct such study(ies). Thirty (30) days after the EQB approval, the permittee shall conduct such study(ies). Sixty (60) days after conducting such study(ies), the permittee shall submit a report that includes the results of such study(ies).

19. The authorization for the production system will not be transferable and does not convey any property rights of any sort or any exclusive privileges, nor it authorizes any injury to persons or property or invasion of other private rights, or any infringement of Federal or State law or regulations.
20. Each condition of this WQC is considered as separate. Therefore, if the applicability of any condition of this WQC is stayed due to any circumstance, the remaining conditions of this WQC will not be affected.
21. The EQB, by the issuance of the WQC, does not relieve the applicant from its responsibility to obtain additional permits or authorizations from the EQB as required by law. The issuance of the WQC shall not be construed as an authorization to conduct activities not specifically covered in the WQC, which will cause water pollution as defined by the Puerto Rico Water Quality Standards Regulation (PRWQSR), as amended.⁴

1, 2, 3 and 4 see next page

1. According to Article 1 of the Puerto Rico Water Quality Standards Regulation, as amended.
2. According to Article 3 of the Puerto Rico Water Quality Standards Regulation, as amended.
3. According to Article 6 of the Puerto Rico Water Quality Standards Regulation, as amended.
4. According to the Public Policy Environmental Act of September 22, 2004, Act No. 416, as amended.

TABLE A-1

EFFLUENT LIMITATIONS AND MONITORING
REQUIREMENTS AT THE EDGE OF THE PRODUCTION AREA

NPDES NO. PR0026361

During the period beginning on the EDP and lasting through the EDP +5 years, the permittee is authorized to discharge saltwater fishes excrement and unconsumed food used in the breeding of confined fishes in cages submerged in the sea. Such discharge shall be limited and monitored by the permittee at the production area monitoring points (2, 4, 5, 6, 7, 8 and 9) by the permittee as specified below:

Receiving Water Name and Classification: Sonda de Vieques, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
BOD ₅ (mg/L) ^{1,2,3}		30.0	Monthly	Grab
Color (Pt-Co Units) ^{2,3}	Shall not be altered except by other than natural phenomena, except when it can be proven that such charge in color is harmless to biota and aesthetically acceptable.		Monthly	Grab
Copper (Cu) (µg/L) ^{2,3}		----	φ	Grab
Dissolved Oxygen (mg/L) ^{1,2,3}	Shall not contain less than 4.0 mg/L except when natural conditions cause this value to be depressed.		Monthly	In situ
Nitrogen, Total (NO ₃ , NO ₂ , NH ₃) (µg/L) ^{2,3}		5,000	Monthly	Grab

TABLE A-1

EFFLUENT LIMITATIONS AND MONITORING
REQUIREMENTS AT THE EDGE OF THE PRODUCTION AREA

NPDES NO. PR0026361

Receiving Water Name and Classification: Sonda de Vieques, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Oil and Grease (mg/L) ^{2,3}	The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.		Monthly	Grab
pH (SU) ^{2,3}	Shall always lie between 7.3 and 8.5 except when caused by natural phenomena.		Monthly	In situ
Solids and Other Matter ^{2,3}	The waters of Puerto Rico shall not contain floating debris, scum or other floating materials attributable to discharges in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.		----	----
Selenium (Se) ($\mu\text{g/L}$) ^{2,3}	-----		ϕ	Grab
Suspended, Colloidal or Settleable Solids (mL/L) ^{1,2,3}	Solids from wastewater source shall not cause deposition in or be deleterious to the existing or designated uses of the waters.		Monthly	Grab
Taste and Odor Producing Substances ^{2,3}	Shall contain none in amounts that will render any undesirable taste or odor to edible aquatic life.		----	----

TABLE A-1

EFFLUENT LIMITATIONS AND MONITORING
REQUIREMENTS AT THE EDGE OF THE PRODUCTION AREA

NPDES NO. PR0026361

Receiving Water Name and Classification: Sonda de Vieques, SC

<u>Effluent Characteristics</u>	<u>Gross Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	Monthly Average	Daily Maximum	Measurements Frequency	Sample Type
Temperature °F (°C) ^{2,3}	Except by natural causes, no heat may be added to the waters of Puerto Rico, which would cause the temperature of any site to exceed 90°F (32.2°C).		Monthly	In situ
Turbidity (NTU) ^{2,3}		10	Monthly	In situ
Zinc (Zn) (µg/L) ^{2,3}		----	φ	Grab
Special Conditions	See attached sheet, which contains special conditions that constitute part of this certification.		----	----

Notes:

To comply with the monitoring requirements specified above, measurements of the current velocity shall be taken to determine the direction of the current. If the current direction is towards the northwest, the samples shall be taken at sampling points 2, 4, 5, 8 and 9. In case that the current direction is towards the southeast, the samples shall be taken at sampling points 2, 4, 6, 7 and 10.

TABLE A-1

EFFLUENT LIMITATIONS AND MONITORING
REQUIREMENTS AT THE EDGE OF THE PRODUCTION AREA

NPDES NO. PR0026361

Receiving Water Name and Classification: Sonda de Vieques, SC

φ The permittee shall implement a monthly monitoring program using the analytical method approved by EPA with the lowest possible detection level, in accordance with Section 6.2.3 of the PRWQSR, as amended, for one (1) year period, after which they will be conducted annually. The monitoring program shall commence not later than thirty (30) days after the EQB's written approval of the Quality Assurance Project Plan (QAPP). The QAPP must be submitted for evaluation and approval of EQB not later than thirty (30) days after the EDP. The results of the monitoring program shall be submitted to EQB and EPA-Region II no later than sixty (60) days of completion of the one year monitoring program. Based on the evaluation of the results obtained, EQB will determine if an effluent limitation is necessary for this parameter. In such case, the WQC will be reopened to include the applicable effluent limitation.

1, 2, 3 and 4 see page 6 of the Special Conditions.

TABLE A-2

MONITORING REQUIREMENTS AT THE
BACKGROUND MONITORING STATION

NPDES NO. PR0026361

During the period beginning on the EDP and lasting through the EDP +5 years, the permittee shall perform monitoring at the background monitoring station, as specified below:

Receiving Water Name and Classification: Sonda de Vieques, SC

<u>Parameter</u>	<u>Monitoring Requirements</u>	
	Measurements Frequency	Sample Type
BOD ₅ (mg/L) ^{1,2,3}	Monthly	Grab
Color (Pt-Co Units) ^{2,3}	Monthly	Grab
Copper (Cu) (µg/L) ^{2,3}	Monthly	Grab
Current Velocity (m/s) ³	Monthly	Instantaneous
Dissolved Oxygen (mg/L) ^{2,3}	Monthly	In situ
Nitrogen, Total (NO ₃ , NO ₂ , NH ₃) (µg/L) ^{2,3}	Monthly	Grab
Oil and Grease (mg/L) ^{2,3}	Monthly	Grab
pH (SU) ^{2,3}	Monthly	In situ
Selenium (Se) (µg/L) ^{2,3}	Monthly	Grab
Temperature °F (°C) ^{2,3}	Monthly	In situ

TABLE A-2

MONITORING REQUIREMENTS AT THE
BACKGROUND MONITORING STATION

NPDES NO. PR0026361

Receiving Water Name and Classification: Sonda de Vieques, SC

<u>Parameter</u>	<u>Monitoring Requirements</u>	
	Measurements Frequency	Sample Type
Turbidity (NTU) ^{2,3}	Monthly	In situ
Zinc (Zn) ($\mu\text{g/L}$) ^{2,3}	Monthly	Grab

Notes: _____

1, 2, 3 and 4 see page 6 of the Special Conditions.